

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - CENTRAL DIVISION

FILED  
U.S. DISTRICT COURT

MARION WOODMANSEE,

Plaintiff,

vs.

GARY CHRYSTLER,

Defendant.

2005 DEC -5 A 10:17

DISTRICT OF UTAH  
**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Case No. 2:05-CV-211

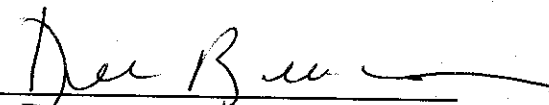
Before the Court is the Report and Recommendation issued by United States Magistrate Judge Samuel Alba on November 1, 2005, recommending that Plaintiff's motion for summary judgment be DENIED.

The parties were notified by mail of their right to file objections to the Report and Recommendation within ten (10) days after receiving it. The parties were further instructed that failure to file objections may constitute a waiver of those objections on subsequent appellate review. Neither party has filed an objection to the Report and Recommendation.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation and DENIES Plaintiff's motion for summary judgment.

**IT IS SO ORDERED**

DATED this 2<sup>nd</sup> day of Dec, 2005.

  
Dee Benson  
United States District Judge